

**STATE OF CALIFORNIA  
BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY  
DEPARTMENT OF BUSINESS OVERSIGHT**

TO: Freelancer.com  
Level 20, World Square, 680 George Street  
Sydney, New South Wales,  
Australia 2000, CAN 134845748

Freelancer Technology Pty Ltd.  
Suite 52, Jones Bay Wharf  
26-32 Pirrama Road, Pyrmont  
Sydney, New South Wales  
Australia 2009

Webhost: Enom, Inc.  
5808 Lake Washington Boulevard NE  
Suite 200  
Kirkland, Washington 98033

**DESIST AND REFRAIN ORDER  
(Violation of Financial Code section 17200)**

The Commissioner of Business Oversight finds that:

1. At all relevant times herein, Freelancer.com (Freelancer) is an entity of indeterminate origin with its principal place of business at Level 20, World Square, 680 George Street, Sydney, New South Wales, Australia 2000, CAN 134845748.

2. At all relevant times herein, Freelancer Technology Pty Ltd. (FTPL) is an Australian proprietary limited company that is the registrant of Freelancer.com and has its principal place of business at Suite 52, Jones Bay Wharf, 26-32 Pirrama Road, Pyrmont, Sydney, New South Wales, Australia 2009.

3. At all relevant times herein, Freelancer.com is a website hosted by Enom, Inc.

4. Freelancer and FTPL engage in the business of an escrow agent over the Internet at <http://freelancer.com> by offering its services through the following process:

(a) At the time of ordering a service, employers deposit funds equivalent to the total service price for the freelancer. The payment is protected by the Freelancer Milestone Payment

1 System. Payments are only released when the employer is 100% happy with the work that has been  
2 delivered by the freelancer;

3 (b) The Freelancer Milestone Payments System ensures that payments to the project are  
4 made securely within the site;

5 (c) Once a Milestone Payment is created, the money will not be transferred to the  
6 freelancer until the employer releases it.

7 5. The Commissioner of Business Oversight has not issued a license to either Freelancer  
8 or FTPL to conduct business as an escrow agent, as required under Financial Code section 17200.

9 Based on the foregoing findings, the Commissioner of Business Oversight is of the opinion  
10 that Freelancer.com and Freelancer Technology Pty Ltd. are engaged in the business of an escrow  
11 agent without obtaining a license from the Commissioner of Business Oversight, in violation of  
12 Financial Code section 17200.

13 Pursuant to Financial Code section 17416, Freelancer.com and Freelancer Technology Pty  
14 Ltd. are ordered to desist and refrain from engaging in the business of receiving escrows for deposit  
15 or delivery without first obtaining a license from the Commissioner of Business Oversight.

16 This Order is necessary, in the public interest, and consistent with the purposes, policies, and  
17 provisions of the Escrow Law.

18  
19 Dated: June 12, 2018  
20 Los Angeles, California

JAN LYNN OWEN  
Commissioner of Business Oversight

21  
22 By \_\_\_\_\_  
23 MARY ANN SMITH  
24 Deputy Commissioner  
25 Enforcement Division  
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